

Order

Michigan Supreme Court
Lansing, Michigan

December 14, 2007

Clifford W. Taylor,
Chief Justice

132446

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

KATHLEEN FORSYTH, as Personal
Representative of the Estate of
Barry Hugh Forsyth, Deceased,
Plaintiff-Appellant,

v

SC: 132446
COA: 263378
Wayne CC: 03-315237-NH

DR. JOHN HOPPER, DR. ERIC
WYNTON AYERS, and AFFILIATED
INTERNISTS CORP,
Defendants,

and

DR. JONATHAN EDWARD
PASKO, and DETROIT RECEIVING
HOSPITAL,
Defendants-Appellees.

By order of April 4, 2007, the application for leave to appeal the August 3, 2006 judgment of the Court of Appeals was held in abeyance pending the decision in *Mullins v St Joseph Mercy Hosp* (Docket No. 131879). On order of the Court, the case having been decided on November 28, 2007, ___ Mich ___ (2007), the application is again considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals, REINSTATE the order of the Wayne Circuit Court denying the defendants' motion for summary disposition, and REMAND this case to the Wayne Circuit Court for further proceedings not inconsistent with this order and the order in *Mullins*.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 14, 2007

Corbin R. Davis

Clerk